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November 14, 2013

VIA ECF

Honorable Judge Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Tasso Koumoulis, et al. v. IMFG, et al., Docket No. 1:10-cv-00887

Dear Judge Chen:

We represent the Defendants in the above-referenced action. Defendants will file with the Court on November 15, 2013 written objections to Magistrate Scanlon's November 1, 2013 Memorandum and Order ("Decision"). The Decision ordered, inter alia, production of documents that Defendants maintain are subject to the attorney-client privilege and work product doctrine and which privileges Defendants maintain have not been waived.

To preserve applicable privileges while a decision on Defendants' objections is pending, Defendants respectfully request to file their written objections and evidence under seal. Defendants will serve upon Plaintiffs' counsel a redacted version of its written objections and evidence to the extent that either reveals information Defendants maintain is privileged. Upon request, Defendants will also file a copy of the redacted version served upon Plaintiffs.

This request is reasonable and necessary to preserve documents and information Defendants maintain is privileged while a decision on their objections is pending. Please be advised that the parties have already conferred and have agreed that, if objections are filed by either party, then all parties' obligations to exchange documents and/or information will be stayed pending a decision on those objections and that the deposition of Ms. Bradley will be deferred until after the objections are ruled upon. Therefore, the at-issue documents and information have not yet been produced in accordance with the Decision and November 12 deadline set forth therein.

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Honorable Judge Pamela K. Chen
November 14, 2013
Page 2

Thank you for the Court's attention to this matter.

Respectfully yours,

/s/ Joanna R. Varon

JRV:jb
Enclosures
Cc: Kenneth Goldberg (*via* ECF)